

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Boyle, Lowell Johnson, Landis and Vap present, and Commissioner Rod Johnson excused. Chairman Johnson also invited the public to address the Commission at any point during the meeting. He also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published August 15, 2006 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 22, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, August 22, 2006:

NUSF-51/ Commission Hearing Room, Lincoln. Workshop.
C-2831 In the Matter of the Commission, on its own motion, seeking
PI-67 to investigate telecommunications infrastructure develop-
2:30 ment in Nebraska. Calling bridge numbers are as follows:
Local: 471-6000 and Long Distance: 1-888-866-4213.

Thursday, August 24, 2006:

B-1628 Commission Hearing Room, Lincoln. Oral Argument.
Supp. 1 In the Matter of OMALINK, Inc., Lincoln, seeking authority
& Supp. 2 to extend its authority as follows: Supplement 1: Trans-
10:00 portation of passengers and their baggage in limousine
service between points in Lancaster County, on the one hand
and, on the other hand, points in Nebraska over irregular
routes. RESTRICTIONS: The transportation of railroad
train crews and their baggage is not authorized. Supplement
2: Transportation of passengers and their baggage in open
class service between points in open class service between
points in Lancaster County, and between points in Lancaster
County, on the one hand, and, on the other hand, points in
Douglas County. RESTRICTIONS: The transportation of
railroad train crews and their baggage is not authorized.
Commissioner Boyle presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

CC-Docket In the Matter of the Jurisdictional Separations and No.80-286 Referral to the Federal-State Joint Board: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, seeking approval to file joint comments with the Vermont Public Service Board and the Vermont Department of Public Service. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order approving applications C-3618 through C-3638: Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

C-3618 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Triennial Review Order and Triennial Review Remand Order ("TRO/TRRO") amendment to an interconnection agreement with Granite Telecommunications, LLC, Quincy, Massachusetts, previously approved in C-3054.

C-3636 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with DSLnet Communications, LLC, Wallingford, Connecticut, previously approved in C-2706.

C-3638 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with AT&T Communications of the Midwest, Inc., Denver, Colorado, previously approved in C-3095.

E-2122 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission lines in Burt and Cuming Counties: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

E-2123 In the Matter of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain electric transmission lines in Lancaster County: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand informed the Commission of the Hamilton Telephone Company letter confirming there will be no CapTel rate increase effective July 1, 2006, pursuant to Section 4.3 of the Contract Agreement.

FC-1322 In the Matter of the American Civil Liberties Union (ACLU) complaint alleging AT&T's disclosure of customer's private phone records without customer's knowledge or consent: Gene Hand updated the Commission on the status of the docket. Commissioner Anne Boyle was appointed as Hearing Officer.

FC-1324 In the Matter of the American Civil Liberties Union (ACLU) alleging Verizon's disclosure of customer's private phone records without customer's knowledge or consent: Gene Hand updated the Commission on the status of the docket. Commissioner Anne Boyle was appointed as Hearing Officer.

Gene Hand reported on an Automatic Dialing-Announcing Device complaint filed by a resident of Bennington.

Gene Hand distributed a copy of "National Telecommunications Cooperative Association's (NCTA) 2006 Broadband/Internet Availability Survey Report" dated August 2006.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-22.3 In the Matter of ALLTEL Wireless, Little Rock, Arkansas, seeking additional funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving the funding request. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

0911-022.4 In the Matter of Cricket Communications, San Diego, California, seeking approval of recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving the funding request. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

A DVD Presentation was made by the Keep America Connected Coalition.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley updated the Commission on the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to levy a late-fee against Southeast Nebraska Telephone and that a complaint be opened against Business Productivity Solutions, f/k/a GE Business Productivity Solutions. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

NATURAL GAS DEPARTMENT

NG-0035/ In the Matter of the Commission, on its own motion, seeking
PI-115 to investigate the interactions among aggregators,
suppliers and jurisdictional utilities operating a customer
choice program. Commissioner Vap presiding as Hearing Officer:
Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne
Boyle, to enter an order closing the docket. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap
voting AYE, and Commissioner Rod Johnson excused not voting.

NG-0036 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado,
seeking approval of a general rate increase. Commissioner
Vap presiding as Hearing Officer: Motion made by Commissioner Jerry
Vap, seconded by Commissioner Frank Landis, to enter Assessment Orders
HSD-002 and GDS-001. Motion passed with Commissioners Anne Boyle,
Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commis-
sioner Rod Johnson excused not voting.

NG-0037 In the Matter of NorthWestern Corporation, d/b/a North-
Western Energy, Sioux Falls, South Dakota; Babcock & Brown
Infrastructure Limited, BBI US Holdings Pty Ltd., Sydney NSW 2000,
Australia; BBI US Holdings II Corp., and BBI Glacier Corp., San
Francisco, California, seeking approval of the proposed change in
control of NorthWestern Corporation. Commissioner Vap presiding as
Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by
Commissioner Frank Landis, to enter Assessment Order HSD-002. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and
Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

P-0012 In the Matter of Aquila, Inc., d/b/a Aquila Networks,
Omaha, providing notice required by Neb. Rev. Stat. Section
57-1306, as amended, that it intends to extend or enlarge its service
area or extend a gas main: Motion made by Commissioner Frank Landis,
seconded by Commissioner Anne Boyle, to enter an order closing the
docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson,
Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson
excused not voting.

NATURAL GAS DEPARTMENT (Cont.)

P-0013 In the Matter of Metropolitan Utilities District of Omaha, Omaha, providing notice required by Neb. Rev. Stat. Section 57-1306, as amended, that it intends to extend or enlarge its service area or extend a gas main: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Laura Demman reported on the Federal Energy Regulatory Commission's (FERC) Docket CP06-418, Petition for Waiver of Rule filed July 10, 2006 by Kinder Morgan Interstate Gas Transmission, LLC and Northern Natural Gas Company. The staff will monitor the docket.

RULES AND REGULATIONS

Angela Melton reported that Rule and Regulation #157A (Natural Gas rules) has been approved by the Attorney General's Office.

TRANSPORTATION DEPARTMENT

B-1628 In the Matter of OMALINK, Inc., Lincoln, seeking authority (Supplement 1) to transport passengers by limousine as a common carrier between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes, and (Supplement 2) authority to transport passengers and their baggage in open class service in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Douglas County: An oral argument on the Motion for Reconsideration and Request for Oral Argument was scheduled for August 24, 2006, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Boyle presiding as Hearing Officer.

B-1676 In the Matter of the Trease Enterprises, Inc., Clearwater, seeking authority as a common carrier in Nebraska Intra-state commerce in the transportation of passengers and their baggage in limousine service between points in Hall, Adams, Buffalo, Merrick, Howard, Greeley, York, Hamilton, Dawson, Polk, Nance, Sherman, Valley, Webster, Clay, Nuckolls, Kearney, Harlan, Franklin, Antelope, Furnas, Red Willow, Phelps, Gosper, Frontier, Seward, Butler, Platte, Boone, Wheeler, Garfield, Loup, Blaine, Brown, Keya Paha, Rock, Boyd, Holt, Knox, Pierce, Cedar, Dixon, Dakota, Thurston, Wayne, Madison, Stanton, Cuming, Burt, Colfax, Dodge, Washington, Saunders, Richardson, Pawnee, Johnson, Nemaha, Otoe, Cass, Cherry, Grant, Hooker, Thomas, Arthur, McPherson, Logan, Keith, Perkins, Chase, Hayes, Dundy and Hitchcock counties, and between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes.

TRANSPORTATION DEPARTMENT (Cont.)

B-1676 RESTRICTIONS: The transportation of railroad train crews
(Cont.) and their baggage is not authorized. Motion made by
Commissioner Jerry Vap, seconded by Commissioner Anne
Boyle, to enter an order granting the application as
amended. Motion passed with Commissioners Anne Boyle,
Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and
Commissioner Rod Johnson excused not voting.

PI-110 In the Matter of the Commission, on its own motion, seeking
to investigate commuter transportation services between
Omaha and Lincoln and points in between. Commissioner Boyle presiding
as Hearing Officer: A meeting was scheduled for August 28, 2006, at
10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Boyle
presiding as Hearing Officer.

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska
Motor Carriers Association, Lincoln, seeking authority to
establish a fuel surcharge in Nebraska Official Household Goods Tariff
7-F: The fuel surcharge was retained at 86 cents.

GRAIN WAREHOUSE DEPARTMENT

Commissioner Landis left the Commission Hearing Room.

GW-1503 In the Matter of Trinidad/Benham Corp., d/b/a The Trinidad
GW-1944 Bean & Elevator Company, Denver, Colorado, seeking an
increase in the deductible on stock insurance: Motion
made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle,
to enter an Order granting the request. Motion passed with Commis-
sioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and
Commissioners Rod Johnson and Frank Landis excused not voting.

GW-2127 In the Matter of The Scoular Company, Venango: John Fecht
discussed the shortage of soybeans.

Commissioner Landis returned to the Commission Hearing
Room.

GW-2160 In the Matter of United Farmers Cooperative, Shelby: John
Fecht discussed the shortage of white corn, oats, soybeans,
and milo.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

Grain Dealer Division

GD-697 In the Matter of Ochsner Grain Co., Inc., Madison, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements for the license period ending June 30, 2007: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GD-2909 In the Matter of Peewee Grain LLC, Humphrey, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending June 30, 2007: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an Order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

DAS Materiel-Office Supply	\$1,174.35
HHS Finance and Support	653.35
HHS Finance and Support	650.73
HHS Finance and Support	650.73
HHS Finance and Support	1,577.65
HHS Finance and Support	1,577.65
HHS Finance and Support	1,656.44
HHS Finance and Support	599.22
Mark Luttich	1,349.83
Tim Sandusky	766.22

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

AGN Sales	\$ 322.55
Aksarben TDD Service	9,629.05
B Hear Inc	1,701.09
Beltone	1,287.15
Dynavox Systems	805.80
Grand Island Hearing Aid	446.60
Hearing Clinic Inc	1,180.00
Carl A. Johnson Jr.	757.65
K-D Communications	1,965.70
McCook Pharmacy & Medical Supplies	632.50

GENERAL ADMINISTRATION (Cont.)

Sherard Hearing Aid Center	\$1,655.20
Teltex	2,036.95
Weitbrecht Communications	813.00
Western ENT Associates	159.95

Upon agreement of all Commissioners present, authorization was granted for Andy Pollock to attend the Commission Executive Management Forum 2006 to be held in East Lansing, Michigan from September 24-26, 2006.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the purchase of 4,000 Recreational Vehicle seals at a cost of approximately \$3,600.00 plus shipping. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

John Burvainis lead a discussion on the proposed budget for 2007-08 and 2008-09.

Andy Pollock reported and the Commission discussed a proposed policy for the Commission's advisory boards.

The meeting adjourned at 11:20 a.m. with Commissioners Boyle, Lowell Johnson, Landis and Vap present, and Commissioner Rod Johnson excused. The next regularly scheduled meeting will be held on August 29, 2006, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on August 28, 2006.

Chairman

Executive Director